UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.821
1 October 2002

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-first session

SUMMARY RECORD OF THE 821st MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 26 September 2002, at 10 a.m.

Chairperson: Mr. DOEK

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Ukraine

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.02-44620 (E) 300902 011002

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Ukraine (CRC/C/70/Add.11; CRC/C/Q/UKR/2; HRI/CORE/1/Add.63/Rev.1; written replies of the Government of Ukraine to the questions in the list of issues (document without a symbol distributed in the meeting room in Russian, English and French))

1. At the invitation of the Chairperson, the members of the delegation of Ukraine took places at the Committee table.

2. Ms. DOVZHENKO (Ukraine) said that the State party had sent a delegation comprising senior officials, which reflected its commitment to dialogue with the Committee. Many of the measures taken recently to implement the Convention were designed to follow up on the recommendations with which the Committee had concluded its examination of the initial report. On that occasion, the Committee had taken into account the delicate transitional situation in Ukraine, as well as its impact on the capacity of her Government to meet child welfare requirements.

3. Among the priorities of Ukrainian policy on child rights were: harmonization of legislation with international standards; improvement of State educational and health care provision; increased support for families and creation of a network of specialized institutions to protect children without parental support. Since the consideration of its initial report, her country had adopted 15 new laws with an impact on the rights of the child, had ratified the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and had begun to implement national programmes on reproductive health, iodination of water and the Health for All programme, in line with the strategy devised by the World Health Organization (WHO). Consequently, infant and maternal mortality rates had fallen since the preparation of the initial report.

4. The Chernobyl nuclear accident had had a negative impact on the health of over a million children, and the morbidity rate in contaminated areas was still over twice as high as in other parts of the country. She expressed her Government's gratitude to the international community, and particularly to UNICEF, for its assistance with child health programmes in contaminated areas.

5. Since 1998, an annual report had been published containing comprehensive statistics on the situation of children in Ukraine. The Convention had been integrated into school curricula, as had training courses for teachers and social workers. Fresh impetus had been given to efforts to disseminate the Convention through national and regional media.

6. Strengthening the role of families had become a clear objective and, to that end, the Child Welfare Act had been adopted, containing significant provisions on parental responsibility. The Act amending the State Assistance for Families with Children Act had established five main categories of assistance to families, and specific programmes had been set up for the most disadvantaged. Her Government was particularly concerned by the situation of children

deprived of parental care, especially in the light of the thriving trade in children. Trafficking had been prohibited by law, and the authorities were pursuing a comprehensive programme to bring those responsible to justice. Pursuant to the Child Welfare Act, the use of corporal punishment in the home had also been prohibited.

7. As a result of measures taken in recent years to combat juvenile delinquency, there had been a decline in the number of offences committed by minors. Juveniles released from captivity were provided with assistance in finding work, in order to discourage them from reoffending.

8. The establishment of a Ministry of Family and Youth Affairs had helped focus the efforts of central government on children's issues, and a network of bodies had been set up at local level. In particular, her Government had paid greater attention to the rational distribution of resources for child-related programmes, and the corresponding budgetary allocations had increased significantly since 1999. In view of the multi-ethnic composition of Ukrainian society, measures to combat discrimination were also a priority. Consequently, schools dispensing education in minority languages, including Romanian, Hungarian and Crimean Tartar, were offered special protection.

9. Ms. TIGERSTEDT-TÄHTELÄ said that the report was clear and informative, and had followed closely the guidelines set by the Committee. She particularly welcomed the self-critical approach taken. However, for a second periodic report, it contained too many details of the legal framework, and not enough analysis of the difficulties encountered in implementing the recommendations made by the Committee in respect of the initial report. She would be interested to learn whether the Government had identified specific priorities with regard to following up on those recommendations. In the light of reports from other human rights treaty bodies, the Council of Europe, Organization for Security and Co-operation in Europe (OSCE) and national and international non-governmental organizations (NGOs), concerns had been raised, for example, regarding the separation of powers, freedom of expression, child trafficking and cases of police brutality and torture.

10. While she welcomed the breakdown of new laws provided in the written replies, she said that further details were required concerning their specific provisions. She emphasized the need for a rights-based approach and holistic implementation of the principles of non-discrimination and best interests of the child. It was unclear what status the Convention enjoyed in relation to domestic legislation. She asked whether the Convention took precedence over contradictory laws and whether it had been invoked before national courts.

11. The report had highlighted a number of legal provisions corresponding to articles of the Convention or of other international instruments which were not always applied in practice. The main shortcoming of human rights legislation in the State party was its essentially didactic rather than practical nature. That resulted in the inability of the authorities to guarantee compliance with the rights established by law. She would be interested to learn whether the new laws adopted had taken a more practical approach.

12. She asked the delegation to identify which State bodies were responsible for implementation of the Child Welfare Act. It should also describe more clearly the rights and freedoms provided for in the Act. For example, she wanted to hear whether the Act stated that the child's best interests should be the primary consideration in the context of his or her development and family care.

13. She welcomed the increase in the budget for education and children's institutions during the period 1999 to 2001. However, no statistics had been provided for expenditure on health care in general, the number of children with disabilities or juvenile offenders. Moreover, it was difficult to get a clear picture of budgetary policy without a comparison with overall spending figures. The Committee needed to see the amount of spending on children in terms of a proportion of the total budget. She recalled that, pursuant to article 4 of the Convention, States parties were required to allocate the maximum extent of their available resources towards implementation of the Convention.

14. With regard to her earlier question as to why assistance for families with children and for children up to 16 had decreased, she wondered whether the need for resources was assessed, particularly when new legislation was being enacted. In general, lack of resources could not be used to justify failure to maintain social security measures for the most vulnerable groups of children. In the case of several States parties, the Committee had been of the view that a serious review should be undertaken to determine consistency of economic and social policy implementation, with clear prioritization of policies and resources for children.

15. She asked for details about the division of responsibilities between the State and local authorities for children's services, the State, regional and municipal taxation systems and whether or not local authorities could appropriate tax revenue. She would also welcome details of the input of the private sector and NGOs in service provision; she asked whether resources were allocated to the private sector, whether services were contracted out and whether they were governed by regulations and standards.

16. Lastly, she asked for details of the new poverty strategy mentioned in the list of issues.

17. Ms. SARDENBERG said she recognized that Ukraine was a country still in transition, facing many fundamental changes including the adoption of a new Constitution and laws and the introduction of an unfamiliar system of decentralized administration. Nevertheless, the Committee noted that most of the recommendations it had formulated after considering the previous periodic report still applied. In view of the many regional and local administrations, including the Crimean Autonomous Republic, she wondered what measures existed to ensure the protection of children's rights at all levels. With regard to responsibility at the national level for implementing the Convention's provisions, she understood that UNICEF worked through the Committee on Youth Policies, Sport and Tourism. There was also the State Committee for Family and Youth Affairs, which, to judge from the organization chart contained in the written replies, was a huge entity; she wondered how its activities were organized and coordinated.

18. Demographic information showed that children were decreasing in numbers, with a death rate higher than the birth rate. The situation was doubtless affected by economic problems and the effects of the Chernobyl disaster, but it might also be linked to a lack of child-oriented policies.

19. It seemed that the efforts to increase the involvement of civil society, including non-governmental organizations, in public affairs and decision-making encountered public indifference and problems, including legal and administrative obstacles, for NGOs. She would appreciate more information about those organizations, including their degree of independence, since some of them seemed to be under political sponsorship. She also requested comment on the role of Parliament, the degree to which the Commissioner for Human Rights was involved specifically in children's affairs and on his relationship with the rest of the Government.

20. Ms. CHUTIKUL asked whether the transfer of tasks from the Ministry of Family and Youth Affairs to the State Committee on Family and Youth meant that the ministry had been abolished, and whether NGOs were represented in the State Committee. Since that body's title was restricted to family and youth, youth seemingly being defined as citizens between the ages of 14 and 28 years, she asked about the situation of children from birth to 13 years of age. Mention was made of an Inter-Departmental Commission headed by a Deputy Prime Minister, which appeared to meet only four times a year. She would like to know about its role and relations with the State Committee, and also asked which of those two bodies was responsible for the "coordination" mentioned.

21. The National Plan of Action, established in 1996, was said to be based on the Convention and the guidelines set forth in the Declaration of the 1990 World Summit for Children. She would appreciate clarification about the extent to which the Convention's provisions were interpreted, since they covered much more than the Declaration adopted at the Summit. She also wished to know what was being done, in response to the request to all States made at the General Assembly's recent special session on children to evaluate, and even redraft, national plans of action for children. In the light of the mentioned constraints on resources, she asked whether priorities were set, and in what areas, for action to benefit children. Since children's rights were one of the priorities of the Commissioner for Human Rights, she would like to have information on the links between his office, the State Committee and the Inter-Departmental Commission, as well as comments on the reported existence of tension between the State Committee and the Parliamentary Commissioner. She understood that UNICEF had provided support for the authorities in preparing a study of the consistency of basic legislation with the Convention, and asked whether details of the study, including the identifying of any required amendments, were available.

22. Ms. KHATTAB noted that, according to paragraph 842 of the report, some legal rules corresponding to articles of the Convention and other related international instruments were not always fully applied in practice, the main reason being that Ukrainian legislation on children was principally of a declarative rather than of a practical nature. It was also stated, in the written replies, that the Child Welfare Act unfortunately contained no directly applicable standards or mechanisms to implement the specific protection for which it provided. The need, already

expressed by other Committee members, for effective implementation measures, especially in view of the ongoing evolution in legislation, was important. She wondered whether the new Children and Women's Act could serve to unify the provisions of other legislation, such as that listed in paragraph 208 of the report.

23. She was also concerned about the question of nationality. Ukraine, in its Declaration of Independence, had stated that all persons on its territory had citizenship, but recently there had appeared some limitations, including a three-year minimum residence condition. Moreover, birth certificates no longer conferred nationality but only recorded the fact of birth on the national territory. She would like to know more about the regulations relating to registration of births and, in general, about the criteria for citizenship. She would also welcome comments about cases of discrimination, still being reported, against children of Roma and certain other groups. She requested clarification about discrepancies between girls and boys relating to minimum age for marriage and asked whether there was any definition of the age of sexual maturity - a matter which seemed to raise problems for the country. Lastly, she asked what was being done to improve data collection in response to the Committee's concluding observations in respect of the previous report.

24. Mr. AL-SHEDDI said he shared the previous speakers' requests for clarification about legislation. He asked whether the Child Welfare Act was the same act as that mentioned in the report and whether it dealt with rights or only services. In general, children's rights were best covered in a single piece of legislation. He saw nothing in the report or replies about any means of monitoring the various activities on behalf of children, and asked whether there was a single body, able to act independently, for that purpose. He also asked for further details of the National Programme "Children of Ukraine" and for comment on the apparent lack of a clear definition of age groups for children and young persons. The Committee was concerned about the seemingly widespread lack of awareness about children's rights and wished to know what was being done to correct it.

25. Mr. CITARELLA asked why Ukrainian legislation still failed to take account of the matters raised by the Committee when it had considered the previous report, particularly with regard to conflict between domestic legislation and international instruments - a matter also raised in the Human Rights Committee. He asked whether that issue was being looked into, especially in view of the great deal of new legislation being enacted. He would like to know how the Plan of Action was being implemented and, in particular, how progress was measured, since there were no details about any monitoring process.

26. He asked whether any special measures were taken to deal with poverty and whether, indeed, a poverty line was defined. He was also concerned about the apparent lack of a definition of the child. For example, the minimum age for access to medical services other than through a parent or guardian was 18 years; the age of criminal responsibility seemed to be 16 years and upwards, although 14 to 15 years was mentioned in respect of offences constituting "a serious danger to society"; it was also stated that the maximum prison sentence that under-16s could serve was 10 years. Those matters required clarification.

27. Ms. KARP said that Ukraine was a newly independent country undergoing a complex transition - which made it all the more important to recognize the value of international instruments such as the Convention as guidelines for legislation, administration and resource allocation. The situation also provided an opportunity not only for new or improved legislation but for the establishment of machinery and allocation of funds to give effect to it. The positive aspect of the division of functions between central and local authorities was mentioned in the written replies; but it was also mentioned that there were no directly applicable standards or mechanisms to implement special protection for which the legislation provided. There also seemed to be problems of allocation of resources and control of local authority budgets, as well as a lack of coordination in fields of responsibility. She asked, therefore, how the authorities envisaged the establishment and exercise of responsibilities.

28. With regard to the Commissioner for Human Rights, it was stated that seven complaints had been received during the current year - a surprisingly low figure. She would like to have details of his office's structure and capacity to deal with children's complaints, how they were resolved, whether its writ ran throughout the country, whether it had a focal point and how well the public, and children in particular, were aware of it. With regard to the text of the Convention itself, a recent survey had apparently revealed that not only children but many teachers and other professional persons did not know about it; she asked what measures were being taken to remedy the situation.

29. The State Institute for Family and Youth Problems commendably published an annual report on the status of women and children. She asked how such reports were followed up, and with what results.

30. A new programme of action for 2003 and 2004 had reportedly been drawn up with the United Nations Children's Fund (UNICEF). How did it fit in with the Government's broader plan of action for children? Lastly, noting that the definition of youth as persons between the ages of 15 and 28 overlapped with the definition of the child, she asked how the Government defined specific programmes and allocated resources for youths under 18. Did the name of the Committee on Family and Youth Policy reflect a lack of focus on children under 18?

31. Ms. OUEDRAOGO, having associated herself with the questions put by the other Committee members, expressed disappointment that the report of the State party had not been translated into all the official languages of the United Nations.

The meeting was suspended at 11.30 a.m. and resumed at 11.50 a.m.

32. Ms. DOVZHENKO (Ukraine) said that the Convention had been published in Ukrainian and Russian and that the Government considered its dissemination and distribution in all educational establishments to be of the utmost importance. The introduction of the principles of the Convention in schools and society was considered to be an important basis for both peaceful coexistence and personal development. Ukraine was a country of more than 50 million people of over a hundred nationalities, and since independence not a single shot had been fired owing to ethnic or national tensions. In that respect, Ukrainian society was quite progressive and tolerant, and there was good reason to be optimistic for the implementation of human rights in the future.

33. Of all people, children were perhaps in the best position to evaluate the situation in the country. The Ukrainian Constitution included a provision guaranteeing that all children had equal rights. To help ensure peaceful coexistence, a number of NGOs had organized summer camps devoted to the theme of tolerance, where children of various nationalities spent a month together in educational and cultural activities, including the study of the Convention.

34. In an attempt to bring the national legislation into line with international treaties, including the Convention, the State party had adopted a large number of laws in the past three years. Provisions for the prevention of violence and discrimination against children were included in legislation currently being drawn up by the State Committee on Family and Youth Policy. The Convention, which had been ratified shortly after independence, had been the very first international treaty to be recognized as having the force of law in Ukraine. International treaties ranked higher than domestic laws under the Constitution.

35. The national legislation did indeed have a declaratory character, as practical implementation and specific planning were generally considered to be the responsibility of the Cabinet of Ministers. For example, a law had been adopted according to which the Government was to provide support to schoolchildren from poor families. The responsible ministry had decided that some 2.6 million schoolchildren from disadvantaged backgrounds were to be provided with hot meals at school. Another legal provision called for support for orphanages. However, it was the ministry that decided how many family orphanages were to be established.

36. Ms. KARP said that according to the information received by the Committee, the implementation of the hot meals programme had been hampered by a lack of local resources. How did the responsible authorities take decisions about such programmes, and how were the programmes monitored?

37. Ms. DOVZHENKO (Ukraine) said that implementation of that programme had taken place on the basis of a decree of the Cabinet of Ministers, which had instructed the Ministry of Emergencies to establish a database of needy children and provide funding for the schools that required it. Financing was provided both from the centralized State budget and from local sources. Clearly, there was a lack of resources for the programme in question. However, the social situation in the country had been improving since 1999. The amount invested in education and health care for children had been rising, both in terms of the proportion of the budget and in absolute terms.

38. Ms. KHATTAB asked whether inflation had been responsible for the rise in the amounts. Noting that the Soviet education system had been reputed to be quite good, she asked why the quality of education had reportedly worsened since independence.

39. Ms. DOVZHENKO (Ukraine) said that inflation rates had remained relatively low since 2000, and that there had actually been deflation in the first half of 2002. The amounts invested in education, for instance, had increased from 4 billion hrivniyas to 9.5 billion hrivniyas. She contested the assertion that the quality of education had decreased

since independence. Ukrainian students were in high demand in universities all over the world. They fared quite well in various international competitions, and Ukrainian youths were among the best chess masters in the world. The Ukrainian education system had inherited some valuable traditions from the Soviet Union, but the country must now adapt its educational system to its new circumstances.

40. The educational reform involved the use of a new assessment system centred more on individual development, with a focus on the private sector and investment in schools specialized in the arts, humanities, mathematics and other subjects. Over 2 million children attended extracurricular and after-school activities, which had been maintained thanks to government support. As in the Soviet Union, the student-teacher ratio had remained low, at 11 students per teacher, and it was lower still for elementary schools, at eight to one. Despite the difficulties encountered and the large number of poor families, the enrolment rate at secondary schools stood at 99 per cent.

41. The number of NGOs and youth organizations had grown steadily. At independence, the country had had just one youth organization, the Communist Youth Organization (Comsomol). There were now 104 national youth organizations and some 2,000 regional ones, and 9 national children's organizations and thousands of regional ones. A law had been passed in 1999 providing government support for the establishment of such organizations and stipulating that they could be formed by anyone 14 years of age or older. NGOs carried out a number of tasks, such as the operation of shelters for homeless children and crisis centres for women who were victims of domestic violence.

42. Ms. SARDENBERG asked whether apart from the youth and women's organizations, any NGOs that represented civil society worked in partnership with the Government to ensure the implementation of the Convention.

43. Ms. DOVZHENKO (Ukraine) said that the Inter-Departmental Commission for Child Welfare, headed by the Vice-Prime Minister, included the participation of a number of heads of NGOs. Together with representatives of the various ministries and parliamentarians, they reviewed annual reports and discussed ideas and assessments before formulating new proposals. The State Committee on Family and Youth Policy also had coordinating committees which included children's, women's and youth organizations, and a council of experts that included parliamentarians. Twice a year it reviewed initiatives put forward by NGOs and decided whether to provide funding for such proposals.

44. Ms. TIGERSTEDT-TÄHTELÄ asked whether the State Committee for Family and Youth had the status of a government ministry, or whether it was considered to be above ministerial level.

45. Ms. DOVZHENKO (Ukraine) said that it had the status of a ministry. The question often arose why the name of the State Committee on Family and Youth Policy did not include the word children. Its remit included the drafting, implementation and coordination of policies for families, women, children and youth. The name had been abridged for the sake of brevity,

and because women's and children's issues often overlapped with those covering families. The State Committee had territorial subdivisions throughout Ukraine. It also supervised independent bodies that provided services to adolescents and that carried out many of the functions of a children's ombudsman. Such bodies employed over 6,000 people.

46. The Government had taken action on the overwhelming majority of the concluding observations issued by the Committee following the initial report. It had established a ministry responsible for children's issues, and that ministry was becoming increasingly important. It had, with the assistance of UNICEF, carried out a thorough examination of its laws relating to children, and had decided as a result to adopt a single Children's Code to unify and harmonize the legislation in that field.

47. Surveys had revealed that progress had been made since consideration of Ukraine's initial report (CRC/C/8/Add.10/Rev.1) in raising awareness among children of the provisions of the Convention. The Government had acted on the Committee's recommendation to take steps to incorporate the Convention in the school curriculum; for example, the 2002-2003 school year had been launched with lessons on the provisions of the Convention. Classes on the Convention were provided in higher education establishments to raise awareness among adults. With the cooperation of UNICEF an information campaign had been run on national television and radio. A twice-weekly television programme presented by both adults and children had been broadcast over three years to raise awareness of children's rights, and the national radio station ran a programme called "Children of the State" to draw attention to the plight of orphans. Ukrainian children had actively participated in the preparations for the General Assembly special session on children held in May 2002. The Ministry of Family and Youth Affairs provided training courses on child rights for social workers.

48. A new system of support for low-income families with children had been introduced. Legislation had been enacted in 1993 to establish a State-guaranteed level of support for families with children by providing allowances based on the make-up of the family concerned. However, such an approach did not take into account the income of each family and therefore the State Social Assistance for Low-Income Families Act had been introduced in 2000 to provide five different types of assistance to low-income families. A database had been created containing information on some 65,000 families, helping the Government to design a special support programme for families in need. In the Kiev region, for example, where a high percentage of children suffered from the results of the Chernobyl nuclear disaster, families had been provided with material and psychological assistance; measures had been taken to address in particular the problems of alcoholism and unemployment. Care was provided within the family environment where possible. Legislative amendments had been made to provide greater protection for single parent families and families with disabled children. Although the budgetary allocations for social assistance had increased significantly in recent years, the allocations were unfortunately still not enough.

49. Ms. KARP asked whether low-income families were aware that they could receive support and what measures had been taken to raise awareness of the options available to such families.

50. Ms. TIGERSTEDT-TÄHTELÄ said it would be useful to know whether any other benefits were available to disadvantaged families, such as counselling or support at community level in order to improve the relationship between parents and their children.

51. Ms. DOVZHENKO (Ukraine) said that State assistance to low-income families was based on legislation and supervised by the Ministry of Labour and Social Policy, which had an office in all towns. All families were aware of the options available to them, largely through campaigns run by the Ministry in the mass media. The Ministry received a monthly report from the local authorities outlining the number of requests for assistance received and the total payments made. Certain areas were more dependent on the Government than others when it came to managing budgets. The Government employed 520 child protection experts to monitor the situation of children through contacts in schools.

52. A programme had been introduced in 2002 based on the Committee's recommendation that greater attention should be given to preventive rather than curative health care. Particular provisions had been made for orphans, street children, children deprived of parental care and children from disadvantaged families. Over 5.5 million children were being provided with hot meals as a result of the programme (with private sector assistance) and over 650,000 families were receiving support. Services such as the "family home centres" were developing quickly and while they were not as well equipped as the Government would have liked, they existed in almost every town.

53. The Autonomous Republic of Crimea was an inalienable part of Ukraine and within the limits of the powers defined by the Constitution of Ukraine decided on matters placed within its competence. The Constitution and laws of the Autonomous Republic of Crimea could not run counter to the Constitution and laws of Ukraine but had to be adopted in accordance with them and amended if necessary. An agreement had been drawn up to create a Committee for Youth and Families in Crimea.

54. The Government was alarmed by the declining birth rate and had created a unit to monitor it, discovering that the peak birth rates coincided with the most favourable housing policies. Therefore, a programme had been introduced in 2002 to provide loans to young couples wishing to build a family home. It was hoped that the international institutions would contribute towards the programme. Steps had also been taken to increase the assistance available to parents on paternity or maternity leave, in an effort to encourage couples to start a family.

55. The CHAIRPERSON invited the members of the Committee to put questions to the delegation relating to general principles, civil rights and freedoms and family environment and alternative care.

56. Ms. TIGERSTEDT-TÄHTELÄ said that in its concluding observations following consideration in 1995 of Ukraine's initial report (CRC/C/15/Add.42), the Committee had recommended the State party to take measures to prevent a rise in discriminatory attitudes or prejudices towards children belonging to minority groups, children living in rural areas, Roma children and children afflicted with HIV/AIDS. Although the State Social Assistance for

Persons Disabled from Childhood and Children with Disabilities Act 2000 promoted equal opportunity, disabled children continued to face de facto discrimination and were isolated from society by being placed in special schools and institutions. It would be interesting to know whether any other legislation had been introduced since 1995 to guarantee the right to non-discrimination.

57. She failed to understand why the report made no mention of the Roma. According to a Council of Europe report, there were currently 48,000 Roma in Ukraine. The Roma population continued to face discrimination in all public spheres; for example, according to some reports only 30 per cent of Roma children attended secondary school. The Roma were victims of racially-motivated abuse; for example, a special crime prevention strategy targeted the Roma and allowed for their arbitrary arrest. It would be interesting to know whether the Roma had been officially recognized as a national minority and whether any changes had been made to the Constitution which would affect them. More information should be provided about the National Council of Ministers. Were any of its members representatives of the Roma minority? What was the Council doing to improve the situation?

58. Ms. DOVZHENKO (Ukraine) said that legislation had been introduced to prevent the discrimination of certain groups such as refugees and children with HIV/AIDS, stipulating the type of protection and assistance to be provided. For example, any families with a child infected by HIV/AIDS had the right to receive tax-free financial assistance. A new Criminal Code had been adopted in 2001 and included provisions against the discrimination and trafficking of children.

59. Ms. AL-THANI said she shared her colleague's concern about the negative social attitudes towards children with disabilities and HIV/AIDS, many of whom were being abandoned by their parents. Had any measures been taken to educate society about the needs of those children and to ensure that they were accepted in society? It was disappointing that emphasis continued to be placed on the institutionalization of children when priority should be given to the establishment of a system of foster care and the placement of children with their extended families. Further information should be provided about the services in childcare institutions and the monitoring system in place.

60. Ms. KHATTAB said that Ukrainian parents took an excessively liberal attitude towards their adolescent children and that efforts should be made to protect young people from irresponsible sexual behaviour and drugs and to warn girls about the dangers of becoming involved in the sex trade. Had the Government introduced a comprehensive plan of action to enhance among young people the sense of belonging to the new Ukrainian society?

61. Ms. OUEDRAOGO expressed concern that under the Marriage and Family Code, the right to preservation of personality was infringed if at the time of adoption the adoptive parents changed the child's forename and that a child must consent to a change of forename if he or she was aged 10 or over. She would like to know what happened if the child did not consent to a change of forename and whether the child had the right in such cases to remain in contact with the family.

62. On the issue of access to appropriate information, she said that although the report revealed that steps had been taken to prevent the showing of video materials promoting harmful phenomena, it was unclear whether a specific body had been made responsible for monitoring the situation. Concerning the right not to be subjected to torture, although the report revealed that in the event of the abuse of parental authority, children were entitled to turn to the guardianship agencies for the protection of their rights, paragraph 290 revealed that the application of those provisions of the law was poorly supervised; it would be interesting to know whether any efforts had been made to improve the situation. The authorities should not remove children from their parents without first seeking an alternative solution within the family.

63. On the issue of police brutality, the State party should indicate whether the police received any training on how to deal with juveniles in their care. The issue of violence among children needed to be addressed, particularly in cases involving alcohol or drug abuse. Lastly, she asked what care was available for child victims of abuse.

The meeting rose at 1 p.m.